

AO 91 (Rev. 11/11) Criminal Complaint

UNITED STATES DISTRICT COURT
for the
Northern District of New York

UNITED STATES OF AMERICA)

v.)

JOSE LUIS BARAJAS VALENCIA,)

Case No. 1:25-MJ-202)

Defendant.)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief. On or about the date(s) of July 7, 2025, in the county of Albany, New York in the Northern District of New York the defendant violated:

Code Section

8 U.S.C. § 1326(a)

Offense Description

Jose Luis BARAJAS VALENCIA, an alien, native and citizen of Mexico, being an alien who has been denied admission, excluded, deported, or removed, or has departed the United States while an order of exclusion, deportation, or removal is outstanding, entered and was thereafter found in the United States without the Attorney General of the United States, or her successor, the Secretary of Homeland Security, having expressly consented to his reapplication for admission to the United States.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.

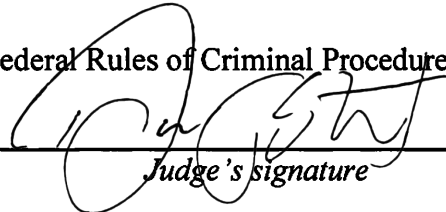

Complainant's signature

Sean T. Thalheimer, Special Agent, HSI

Printed name and title

Attested to by the affiant in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.

Date: July 8, 2025


Judge's signature

City and State: Albany, New York

Hon. Daniel J. Stewart, U.S. Magistrate Judge

Printed name and title

I am a Special Agent with the U.S. Immigration and Customs Enforcement Office of Homeland Security Investigations (HSI) and have been since 2020. In this role, I have participated in a number of investigations involving violations of the Immigration and Nationality Act.

On July 7, 2025, officers and agents with Immigration Customs and Enforcement - Enforcement and Removal Operations (ICE-ERO) and Homeland Security Investigations observed a Black Chevrolet Silverado bearing TN registration 474-BNPQ stop in front of a residence at 409 Delaware Avenue in Albany, New York, New York 12209, which is in Albany County in the Northern District of New York. They observed two adult men leave the residence and enter the Silverado. They observed the Silverado drive away, and they continued surveillance and ultimately stopped the Silverado in Watervliet, New York.

The driver and registered owner of the Silverado was identified to be Jose Luis Barajas Valencia. There were four illegal aliens in the vehicle with Barajas Valencia. Barajas Valencia and the passengers were taken into custody and transported to an ICE-ERO office for processing.

There, Barajas Valencia's biographical information and fingerprints were entered into Department of Homeland Security databases. His fingerprints resulted in a positive match for a previously removed alien under file number A# 206727569.

According to these records, Barajas Valencia is a citizen of Mexico and has been removed from the United States pursuant to immigration proceedings on two occasions.


First, on April 30, 2014, Border Patrol encountered Barajas Valencia near Rio Grande City, Texas. A Border Patrol Agent determined that Barajas Valencia unlawfully entered the United States from Mexico, and Barajas Valencia was arrested and processed as an expedited removal. On May 28, 2024, Barajas Valencia was voluntarily returned from the United States to Mexico through the Eagle Pass International Bridge, Texas.

Second, on February 6, 2015, Border Patrol encountered Barajas Valencia near Roma, Texas and reinstated his prior order of removal. On February 7, 2015, Barajas Valencia was removed from the United States to Mexico through Hidalgo, Texas.

Barajas Valencia has not obtained the express consent of the Attorney General of the United States or her successor, the Secretary of Homeland Security, to reapply for admission to the United States.

Based on the foregoing, there is probable cause to believe that on July 7, 2025, while in Albany County, the defendant violated 8 U.S.C. §1326(a), which prohibits aliens who have been denied admission, excluded, deported, or removed, or has departed the United States while an order of exclusion, deportation, or removal is outstanding, from entering and being found in the United States unless the Attorney General of the United States, or her successor, the Secretary of Homeland Security, has expressly consented to their reapplication for admission to the United States.

Attested to by the affiant.



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Sean T. Thalheimer
HSI Special Agent

I, the Honorable Daniel J. Stewart, United States Magistrate Judge, hereby acknowledge that this affidavit was attested to by the affiant by telephone on July 8, 2025, in accordance with Rule 4.1 of the Federal Rules of Criminal Procedure.



Hon. Daniel J. Stewart
United States Magistrate Judge